



# Mayor and Common Council Borough of Flemington

October 12, 2021

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Online during COVID-19 Emergency

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## Call to Order (6:30 PM)

## Executive Session (6:30 PM)

1. RESOLUTION 2021-205: RESOLUTION TO RETIRE INTO EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS REGARDING THE MUNICIPAL COURT

## Work Session (7:00 PM)

## Regular Meeting (7:30 PM)

This meeting is being held in conformance with the Open Public Meetings Act.

Flag Salute

Roll Call:

Betsy Driver	Mayor
Caitlin Giles-McCormick	Council President
Jessica Hand	Council Member
Malik Johnston	Council Member
Jeremy Long	Council Vice President
Christopher Runion	Council Member
Kimberly Tilly	Council Member

- I. Mayor's Report
- II. Council Members' Reports
- III. Public Comments - Session I (up to 3 minutes each, for a maximum of 30 minutes)
- IV. Approval of Minutes

Motion To: **Approve Minutes: Sept. 27, 2021 Regular Council Meeting**

Motion To: **Approve Minutes: Sept. 27, 2021 Executive Session**

## Consent Agenda

1. RESOLUTION 2021-206: AUTHORIZING RETURN OF \$250 ESCROW FEE FOR A STREET OPENING PERMIT ISSUED FOR 24 NEW JERSEY AVENUE
  2. RESOLUTION 2021-207: ACCEPTING THE RESIGNATION OF FIRE SUB-CODE INSPECTOR RICHARD JONES AND APPOINTING KENNETH MCCORMICK TO A FOUR-YEAR TERM AS FIRE SUB-CODE INSPECTOR
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3. RESOLUTION 2021-211: AUTHORIZING THE MAYOR AND CLERK TO SIGN DOCUMENTS FOR SUBMISSION TO THE STATE DEP REGARDING PROPERTY AT 144 MAIN STREET, BLOCK 38, LOT 1.01
4. RESOLUTION 2021-212: AUTHORIZING A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A SANITARY SEWER OVERFLOW PROJECT ON PARK AVENUE AND NORTH MAIN STREET

### **Regular Agenda**

1. ORDINANCE 2021-23: SECOND READING, AN ORDINANCE TO REPLACE AND SUPERSEDE THE "2017 UNION HOTEL REDEVELOPMENT PLAN" AS ADOPTED BY ORDINANCE 2017-17 AND AMENDED BY ORDINANCE 2020-16 OF THE BOROUGH OF FLEMINGTON
2. ORDINANCE 2021-25: SECOND READING: ORDINANCE CREATING THE POSITION OF OFFICE ASSISTANT AND SETTING A SALARY RANGE
3. ORDINANCE 2021-26: SECOND READING: AN ORDINANCE ACCEPTING A WELL SITE, WATERLINE AND ACCESS EASEMENT OVER A PORTION OF BLOCK 45, LOT 1
4. RESOLUTION 2021-208: DESIGNATING AN AREA OF THE BOROUGH INCLUSIVE OF BLOCK 35, LOTS 22, 23, 24, 25, 31, 53, 54, 69, 70 AND 71, KNOWN AS LIBERTY VILLAGE, AS AN AREA IN NEED OF REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW
5. RESOLUTION 2021-209: AUTHORIZING THE PAYMENT OF \$11,995.80 IN ACCUMULATED VACATION AND SICK TIME TO RETIRED DEPUTY COURT ADMINISTRATOR JAYNE PARSONS
6. RESOLUTION 2021-210: AUTHORIZING THE AWARD OF A CONTRACT TO GARY NICKELS FOR THE REPAIR OF AN IRON FENCE SURROUNDING THE SOLDIER'S MONUMENT, IN THE AMOUNT OF \$3,500.00
7. RESOLUTION 2021-213: AUTHORIZING THE PARTIAL CLOSURE OF MAIN STREET FOR A HALLOWEEN COSTUME PARADE ON OCTOBER 28, 2021

V. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)

VI. Attorney's Report

VII. Payment of the Bills

Motion To: **Pay the Bills**

VIII. Executive Session for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

IX. Adjournment

Motion To: **Adjourn**

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**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-205**

DOC ID: 3606

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**Resolution to Retire into Executive Session to Discuss  
Contract Negotiations Regarding the Municipal Court**

WHEREAS, the Common Council of the Borough of Flemington desires to discuss negotiations regarding the Borough's municipal court; and

WHEREAS, an executive session for this purpose is justified under N.J.S.A. 10:4-12 (7), which cites:

Any pending or anticipated litigation or contract negotiation other than in section (4) herein which the public body is, or may become a party; and

WHEREAS, a date cannot yet be given for when the minutes from the executive session may be made public, given the ongoing negotiations and their unknown duration; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington go into executive session for the above-stated purposes.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

**SCHEDULED**

Initiator: Sallie Graziano  
Sponsors:

**RESOLUTION 2021-206**

DOC ID: 3602

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**Authorizing Return of \$250 Escrow Fee for a Street Opening  
Permit Issued for 24 New Jersey Avenue**

BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON

WHEREAS, Ron's Masonry, 335 Old York Road, Flemington, applied for a street opening permit for sidewalk work at a property at 24 New Jersey Ave. and paid all necessary fees, including \$250 escrow; and

WHEREAS, the project has been completed to the satisfaction of borough officials;

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council, Borough of Flemington, County of Hunterdon, State of New Jersey that a refund of the escrow in the amount of \$250.00, made payable to Ron's Masonry, 335 Old York Road, Flemington, NJ 08822, is approved.

Adopted:

\_\_\_\_\_  
Betsy Driver, Mayor

Attest:

\_\_\_\_\_  
Sallie Graziano, RMC, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-207**

DOC ID: 3604

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**Accepting the Resignation of Fire Sub-Code Inspector  
Richard Jones and Appointing Kenneth McCormick to a  
Four-Year Term as Fire Sub-Code Inspector**

BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON

WHEREAS, Richard Jones has submitted a letter of resignation from his position as Fire Sub-Code Inspector for the Borough of Flemington, effective December 1, 2021; and

WHEREAS, Kenneth McCormick has the necessary training to fulfill the position of Fire Sub-Code Inspector; and

WHEREAS, Construction Official Jeffrey Klein has recommended hiring Mr. McCormick as Fire Sub-Code Inspector, to serve up to 4 hours per week; and

WHEREAS, the salary for the Fire Sub-Code Inspector, as set in the Borough Salary Ordinance, is \$12,956 per year;

NOW, THEREFORE, BE IT RESOLVED that The Council of the Borough of Flemington accepts the resignation of Fire Sub-Code Inspector Richard Jones effective December 1, 2021.

BE IT FURTHER RESOLVED that the Council of the Borough of Flemington appoints Kenneth McCormick to serve as Fire Sub-Code Inspector for a four-year term, commencing December 1, 2021.

BE IT FURTHER RESOLVED that Mr. McCormick will work up to four hours per week as Fire Sub Code Inspector, earning an annual salary of \$12,956 for the position.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-208**

DOC ID: 3601

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**Designating an Area of the Borough Inclusive of Block 35,  
Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 and 71, Known as Liberty  
Village, as an Area in Need of Redevelopment, Pursuant to  
the Local Redevelopment and Housing Law**

BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON

**WHEREAS**, by Resolution 2020-155, the Borough Council directed the Planning Board to undertake a preliminary investigation to determine whether certain properties in the Borough satisfied the criteria to be designated as an area in need of redevelopment, including Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69 and 71; and

**WHEREAS**, by Resolution 2021-65, the Borough Council adopted a resolution to include Block 35, Lot 70 in the study area; and

**WHEREAS**, the Planning Board retained the services of Elizabeth McManus, PP, AICP, LEED AP, the Board Planner, who prepared a document entitled "Liberty Village Block 35; Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71 Flemington Borough NJ July 31, 2021 Area in Need of Redevelopment Preliminary Investigation" that depicted the boundaries and location of the Liberty Village Parcels, the basis for the investigation of the Liberty Village Parcels and the results and conclusions thereof (the "Report"). A copy of the Report is annexed hereto.

**WHEREAS**, the Redevelopment Investigation Report concluded that conditions (b), (c), (d) and (h) of N.J.S.A. 40A:12A-5 were found to exist in one or more of the Liberty Village Parcels and therefore the Liberty Village Parcels may be designated as an area in need of redevelopment.

**WHEREAS**, on September 14, 2021, the Planning Board held a duly-noticed virtual public hearing on the Report pursuant to N.J.S.A. 40A:12A-6, at which time it heard a presentation of the Redevelopment Investigation Report by Elizabeth McManus, PP, AICP, LEED AP. The Board asked questions of Ms. McManus and discussed the Report. The hearing was opened to the public for questions and comments but no members of the public asked to be heard.

**WHEREAS**, based upon the Redevelopment Investigation Report and the testimony of the planner concerning the Redevelopment Investigation Report, the Planning Board accepted the findings of the Redevelopment Investigation Report and agreed that conditions (b), (c), (d) and (h) of N.J.S.A. 40A:12A-5 were found to exist in one or more of the Liberty Village Parcels and voted to recommend that the Governing Body declare the Liberty Village Parcels as an area in need of redevelopment.

**WHEREAS**, the Council accepts the conclusions of the Redevelopment Investigation Report and the Planning Board's recommendation and wishes to designate the Study Area as an area in need of redevelopment.

**NOW, THEREFORE, BE IT RESOLVED** by Borough Council of the Borough of Flemington that the Study Area described herein, inclusive of Block 35; Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71, be and hereby is designated as a Non-Condensation Redevelopment Area, pursuant to *N.J.S.A. 40A:12A-5* and *N.J.S.A. 40A:12A-6*.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**CLERK'S CERTIFICATION**

I hereby certify that the above Resolution is a true copy of the Resolution adopted by the Council of the Borough of Flemington on October 12, 2021.

\_\_\_\_\_  
Sallie Graziano, RMC, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-209**

DOC ID: 3605

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**Authorizing the Payment of \$11,995.80 in Accumulated  
Vacation and Sick Time to Retired Deputy Court  
Administrator Jayne Parsons**

WHEREAS Deputy Court Administrator Jayne Parsons retired from the Borough of Flemington effective October 1, 2021; and

WHEREAS it has been determined that she is due the following accumulated leave pay:

70	Vacation Hours x Hourly Rate \$26.94 =	\$1,885.80
427	Sick Hours x Hourly Rate \$26.94 = (maximum \$10,000 per contract)	\$11,503.38
	<b>Total Due</b>	<b>\$11,885.80</b>

BE IT RESOLVED By the Mayor and Council of the Borough of Flemington that the Chief Financial Officer be authorized to pay \$11,885.80 to Jayne Parsons for the sick and vacation time that she is due on the next payroll.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-210**

DOC ID: 3609

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**Authorizing the Award of a Contract to Gary Nickels for the Repair of an Iron Fence Surrounding the Soldier's Monument, in the Amount of \$3,500.00**

**WHEREAS**, the iron fence surrounding the Soldier's Monument at the intersection of Main Street and Pennsylvania Avenue is in need of repairs; and

**WHEREAS**, the Borough requested three quotes and received responses as follows:

Gary Nickels	\$3,500.00
Clems Iron Works	No Quote
Macaro Iron Works	No Quote

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a contract be awarded to Gary Nickels for the repair of the iron fence surrounding the Soldier's Monument, for a contract amount of \$3,500.00.

Adopted: October 12, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-211**

DOC ID: 3607

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**Authorizing the Mayor and Clerk to Sign Documents for  
Submission to the State DEP Regarding Property at 144 Main  
Street, Block 38, Lot 1.01**

**WHEREAS**, Flemington Borough sold property located at 144 Main St., Block 38, Lot 1.01 (“Property”) on October 5, 2021; and

**WHEREAS**, the Property has been subject to remediation of hazardous substances associated with the Property’s former use as a gas station, which was conducted by the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS**, the Property is subject to Groundwater Remedial Action Permit # RAP170001; and

**WHEREAS**, in connection with the sale of the Property, the Borough must sign the following documents:

1. Remedial Action Permit Modification Application
2. Remedial Action Permit Contact Information Form
3. Remedial Action Permit Transfer / Change of Ownership Application

**WHEREAS**, the application fee for the Modification Application and the Change of Ownership Application is \$880 each; and

**WHEREAS** the Mayor and Clerk are the proper officials on behalf of the Borough to execute said documents.

**NOW, THEREFORE, BE IT RESOLVED** by the Council and Mayor of the Borough of Flemington, County of Hunterdon, that the Mayor and Clerk are authorized to sign the above-referenced documents upon review and approval of said documents by the Borough Attorney.

**BE IT FURTHER RESOLVED** that the Borough CFO is authorized to pay the above-referenced application fees in the amount of \$880 each.

Adopted: October 12, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 10/12/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-213**

DOC ID: 3610

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**Authorizing the Partial Closure of Main Street for a Halloween Costume Parade on October 28, 2021**

Borough of Flemington  
County of Hunterdon

**WHEREAS**, the Flemington Community Partnership has requested that Main Street be closed from Capner Street to Mine Street on October 28, 2021, from 4:00 PM to 10:00 PM for the Halloween Parade; and

**WHEREAS**, the Flemington Borough Police Department has reviewed this request and has approved the road closure as requested;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the requested road closure as outlined above is approved for the Halloween Costume Parade being held on October 28, 2021.

Adopted:

\_\_\_\_\_  
Betsy Driver, Mayor

Attest:

\_\_\_\_\_  
Sallie Graziano, Acting Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 09/27/21 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**INTRODUCED**

**ORDINANCE 2021-23**

DOC ID: 3600

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**Second Reading, an Ordinance to Replace and Supersede  
the “2017 Union Hotel Redevelopment Plan” as Adopted by  
Ordinance 2017-17 and Amended by Ordinance 2020-16 of  
the Borough of Flemington**

**Flemington Borough, Hunterdon County**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Act”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, pursuant to Borough Council Resolution 2010-94, adopted June 14, 2010, the Borough Council designated the Union Hotel property, located at 70-76 Main Street, Flemington, and identified as Block 22, Lot 4 on the Borough of Flemington Tax Map (the “**Initial Redevelopment Area**”), as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**Redevelopment Law**”); and

**WHEREAS**, pursuant to Ordinance 2010-14, adopted on October 25, 2010, the Borough Council adopted the Union Hotel Redevelopment Plan; and

**WHEREAS**, pursuant to Borough Council Resolution 2014-44, adopted February 10, 2014, the Borough Council designated the area south of the Union Hotel property, inclusive of properties located at 78 Main Street, 80 Main Street, 82 Main Street, 90-100 Main Street, 104 Main Street, 110 Main Street, 7 Spring Street, 19 Spring Street, 3 Chorister Place and 6 Chorister Place, identified on the Borough Tax Map as Block 22 Lots 5, 6, 7, 8, 9, 10 and 12 and Block 23, Lots 1 and 7 as an area in need of redevelopment pursuant to the Redevelopment Law (such properties, together with the Initial Redevelopment Area, is the “**2014 Redevelopment Area**”) and, subsequently, on March 7, 2014, the Borough enacted an ordinance adopting a redevelopment plan for the Redevelopment Area (the “**2014 Redevelopment Plan**”); and

**WHEREAS**, on July 10, 2017, the Borough Council via Resolution 2017-130, designated Block 22, Lots 13 and 14 (23 Bloomfield Avenue and 21 Bloomfield Avenue) and Block 24, Lots 1, 2, 3 and 5 (2 Spring Street, 8 Spring Street, 12 Spring Street) (the “**Study Area**”) to be included in the “Union Hotel Redevelopment Area” (2014 Redevelopment Area and Study Area collectively referred to herein as the “**Redevelopment Area**”); and

**WHEREAS**, on December 11, 2017 the Borough Council adopted Ordinance 2017-17 approving the 2017 Union Hotel Redevelopment Plan dated October 19, 2017; and

**WHEREAS**, on October 13, 2020, the Borough Council adopted by Ordinance 2020-16 the “Union Hotel Redevelopment Plan Amendment #1” (“Amendment #1”); and

**WHEREAS**, the Borough Council has determined that the effective Redevelopment of the Redevelopment Area would be stimulated by replacing and superseding the 2017 Union Hotel Redevelopment Plan and Amendment #1 as set forth in the attachment to this Ordinance entitled “Union Hotel Redevelopment Plan Amendment #2”; and

**WHEREAS**, the Borough Council desires to replace and supersede the 2017 Union Hotel Redevelopment Plan and Amendment # 1 and to provide notice thereof in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey, as follows:

**Section 1.** The 2017 Union Hotel Redevelopment Plan and Amendment #1 be and hereby is replaced and superseded with the Attachment to this Ordinance entitled “Union Hotel Redevelopment Plan Amendment #2”.

**Section 2.** In the event that any section, part or provision of the Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any party thereof, other than the part so held unenforceable or invalid.

**Section 3.** This ordinance shall take effect upon final passage, publication, and filing with the Office of the Clerk of Hunterdon County, all as required by law.

Introduced: September 27, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/12/2021 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jessica Hand, Council Member	
<b>AYES:</b>	Giles-McCormick, Hand, Johnston, Long, Runion, Tilly	

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 09/27/21 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**INTRODUCED**

**ORDINANCE 2021-25**

DOC ID: 3596

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**Second Reading: Ordinance Creating the Position of Office Assistant and Setting a Salary Range**

**WHEREAS**, the Municipal Clerk has recommended to the Council that a part-time Office Assistant be appointed to aid with day-to-day operations of Borough offices; and

**WHEREAS**, a review of salaries for similar positions in the area reveals that the salary range set forth below is reasonable.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that the Code of the Borough of Flemington (the "Code") is hereby amended and supplemented as follows:

**SECTION 1.** Section 2-30 of the Code, entitled "Office Assistant," shall be added as follows:

2-30.1 Established. There may be appointed an Office Assistant.

2-30.2 Term of Office. The term of office may begin on January 1 and expire one year thereafter, on December 31 or may begin on any other date and extended for any period as the Council may decide.

2-30.3 Nomination and Appointment. The Mayor shall nominate and appoint the Office Assistant, with the advice and consent of the Borough Council.

2-30.4 Powers and Duties. The Office Assistant shall have duties as determined by the Council in its discretion.

2-30.5 Office Hours. The hours of the Office Assistant shall be set by the Mayor and Council. The Office Assistant shall be a part-time employee of the Borough.

2-30.6 Compensation. Compensation shall be stipulated in the yearly salary ordinance.

**SECTION 2.** The Borough's 2021 Salary Ordinance (Ordinance 2021-18) is amended to add the salary of the Office Assistant as follows:

Office Assistant:      \$15 to \$17 per hour

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5.** The Mayor and Clerk are hereby authorized to take all steps necessary to advertise the position.

**SECTION 6.** This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced: September 27, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/12/2021 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jessica Hand, Council Member	
<b>AYES:</b>	Giles-McCormick, Hand, Johnston, Long, Runion, Tilly	

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 09/27/21 07:30 PM  
Department: Clerk of the Borough  
Category: Land Development  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**INTRODUCED**

**ORDINANCE 2021-26**

DOC ID: 3599

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**Second Reading: An Ordinance Accepting a Well Site,  
Waterline and Access Easement Over a Portion of Block 45,  
Lot 1**

**WHEREAS**, the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, wish to accept a Grant of Well Site, Waterline, and Access Easement for a portion of Block 45, Lot 1, which are attached hereto as an exhibit; and

**WHEREAS**, such easement is proposed to be acquired in order to develop a new potable water supply well; and

**WHEREAS**, N.J.S.A. 40A:12-4 authorizes the municipality to accept such easement; and

**WHEREAS**, attached hereto is a form of easement that has been reviewed by the Borough Engineer and Borough Attorney; and

**WHEREAS**, based upon an appraisal commissioned by the Borough setting forth the fair market value of the easement, the Borough has agreed to pay the property owners the amount of \$33,000 in exchange for the easement dedications; and

**WHEREAS**, it appears to the Mayor and Council that the public interest would be served by accepting the easements described herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey as follows:

1. The Borough of Flemington hereby accepts the above-referenced easements over a portion of Block 45, Lot 1 as more particularly described in the deed of easement attached hereto.

2. The Borough Clerk, Mayor, her designee, Borough CFO, and such Borough Professionals as are necessary, are hereby authorized and directed to take such actions as are necessary to effectuate the provisions of this Ordinance including but not limited to executing the above-referenced easements in a form substantially similar to that attached hereto and made a part hereof.

3. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Hunterdon in accordance with the provisions of N.J.S.A. 40:67-21.

4. At least one (1) week prior to the time fixed for further consideration of this Ordinance for final passage, a copy thereof together with the notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage shall be mailed to every person whose lands may be affected by this Ordinance so far as

may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

5. The acceptance of this Easement is contingent upon the Borough obtaining all necessary approvals to construct a potable water supply well and appurtenances on the Property. The Borough may rescind this Ordinance and acceptance of the Easement if the Borough is unable to develop the intended well and appurtenances on the Property.

6. This Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

7. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

8. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Introduced: September 27, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/12/2021 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jessica Hand, Council Member	
<b>AYES:</b>	Giles-McCormick, Hand, Johnston, Long, Runion, Tilly	